

## Comment Set 38

PUBLIC HEARING  
STATE OF CALIFORNIA  
LANDS COMMISSION

FAIRFIELD COMMUNITY CENTER  
ASSEMBLY HALL  
1000 KENTUCKY STREET  
FAIRFIELD, CALIFORNIA 94533

WEDNESDAY, JULY 16, 2003  
7:00 P.M.

JAMES F. PETERS, CSR, RPR  
CERTIFIED SHORTHAND REPORTER  
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### APPEARANCES

#### STAFF

Mr. Stephen L. Jenkins, Assistant Division Chief

Ms. Judy Brown, Environmental Scientist

Ms. Lorna Burks, Public Land Management Specialist

#### ALSO PRESENT

Mr. Brewster Birdsall, Senior Associate Air Quality and Engineering

Ms. Mary Brown, Rhodia Inc.

Mr. David Cornman, SFPP, L.P.

Mr. Mike Duncan, Solano Transit Authority

Mr. Louis Franchimon, Napa/Solano Building Trades Council

Mr. Don Garcia, Teamsters Local 490

Mr. James Holman, Operating Engineers Local 3

Ms. Susan Lee, Vice President, Aspen Environmental

Mr. Stephen Mikich, Plumbers and Steamfitters 342

Mr. Danial Schiada, City of Benicia

Ms. June Williams, Elmira Spill Committee

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1 PROCEEDINGS

2 ENVIRONMENTAL SCIENTIST BROWN: Good evening.

3 My name is Judy Brown, and I work for the  
4 California State Lands Commission. And I'm the Project  
5 manager for the preparation of the Environmental Impact  
6 Report for the Concord to West Sacramento Petroleum  
7 Products Pipeline.

8 SFPP,L.P. is the name of the applicant.

9 I would like to welcome you this evening to this  
10 public meeting. The purpose of the meeting is for you to  
11 receive information about this project, and for us to hear  
12 your comments about the adequacy of the Draft  
13 Environmental Impact Report in addressing the potential  
14 environmental impacts that may result from the project.

15 It is not the purpose of this meeting to discuss  
16 such issues as negotiations between landowners and the  
17 applicant or your views either for or against the project.

18 The California State Lands Commission is acting  
19 as the Lead Agency under the California Environmental  
20 Quality Act for the purposes of preparing an Environmental  
21 Impact Report for this project because the Commission has  
22 jurisdiction over several of the waterways proposed to be  
23 crossed by the proposed project.

24 Aspen Environmental Group has been contracted by  
25 the Commission to prepare the Draft and Final EIR analysis

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1 for this project.

2           The Draft Environmental Impact Report was  
3 released on June 12th for a 45-day public review and  
4 comment period. The Draft EIR is available to review on  
5 the Commission's website at [www.slc.ca.gov](http://www.slc.ca.gov), and at local  
6 public libraries within the cities located along the  
7 proposed pipeline route. And those would be Benicia,  
8 Concord, Suisun City, the Fairfield-Suisun Library, and a  
9 library in West Sacramento, and also at the Sacramento  
10 Office of the California State Lands Commission.

11           The Draft EIR contains an analysis of the  
12 potentially significant impacts of the proposed project.  
13 The EIR may be modified based on comments received tonight  
14 and by comments mailed, faxed, or emailed to the  
15 California State Lands Commission by the close of the  
16 comment period, which is July 28th.

17           There are extra copies of the notice of  
18 availability with pertinent information for you at the  
19 back table.

20           The Final EIR will contain all comments received  
21 and the Commission staff's responses to those comments.  
22 The Final EIR will be considered for certification by the  
23 California State Lands Commission in the near future,  
24 possibly in October of this year.

25           In addition, the California State Lands

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1 Commission will be considering issuance of a lease to the  
2 applicant for use and maintenance of its facilities  
3 occupying state-owned tide and submerged lands under the  
4 jurisdiction of the Commission.

5 All persons requesting information concerning the  
6 date and time of the Commission's proposed action on the  
7 EIR and proposed lease will be mailed a notice. Any  
8 comments you may wish to make regarding the merits of the  
9 project should be presented to the Commission at that  
10 time.

11 We have a sign-in sheet at the table by the door.  
12 And we'd like you to complete identifying that you were  
13 present at this meeting and indicating whether you would  
14 like to be placed on our mailing list for future  
15 information about this project.

16 I'd like to indicate that we are asking each  
17 person who would like to comment on the project to please  
18 complete an information slip found at that table. This  
19 will enable the court reporter to properly identify you  
20 for the record, and it will enable the State Lands  
21 Commission to properly respond to your comments.

22 Please take a moment now to complete this form if  
23 you haven't already done so.

24 Now, I'd like to introduce you to the  
25 participants of this public meeting.

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1           And representing the State Lands Commission is  
2 Stephen Jenkins. And next to Stephen is Lorna Burks.

3           Next to Lorna is David Cornman, who is  
4 representing SFPP, L.P.

5           And to Mr. Cornman's right is Susan Lee of Aspen  
6 Environmental Group.

7           The format of this meeting is to have the  
8 applicant's representative, Dave Cornman, give you an  
9 overview of the proposed project, which will include a  
10 brief history of the route selection process and a summary  
11 of the construction sequence.

12           Following Mr. Cornman's presentation we will  
13 accept comments from individuals in the order in which the  
14 comment slips were received.

15           If you have pre-printed comments that will be  
16 read, we ask that you provide us a copy. And in order to  
17 allow everyone an opportunity, we may limit your  
18 remarks -- or your time. Sorry.

19           The applicant's representatives have agreed to  
20 make themselves available for answering specific questions  
21 about the project immediately after this meeting.

22           And I'd like to ask Dave Cornman to come to the  
23 podium at this time.

24           MR. CORNMAN: Thanks, Judy.

25           I just want to say on behalf of Kinder Morgan

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1 Energy Partners that we are very pleased to be continuing  
2 to move forward with this very important project. It's an  
3 exciting project, replacing an existing pipeline that's  
4 been in the ground since 1967.

5           On September the 6th, 2001, Kinder Morgan  
6 announced plans to replace the existing 14-inch pipeline  
7 with a 20-inch diameter pipeline. The purpose to add --  
8 the purpose of this project is to add critically needed  
9 capacity to the essential transportation infrastructure,  
10 the supply of gasoline, diesel fuel, and jet fuel to the  
11 region's consumers, military installations, and airports.

12           To put all this in context I want to give you  
13 just a little bit of background about Kinder Morgan.

14           SFPP,L.P. that was mentioned a moment ago by Judy  
15 is the operating partnership that was formally owned by  
16 Santa Fe Pacific Pipelines and purchased in 1998 by Kinder  
17 Morgan Energy Partners. SFPP,L.P. is going to be the  
18 owner and operator of this proposed new pipeline.

19           We are a public utility. We are a common carrier  
20 pipeline, which means that folks that want to put products  
21 into a pipeline if they do it properly are allowed to do  
22 that. We don't own any of the petroleum products in our  
23 pipelines. They're owned by the shippers that send those  
24 products through our lines or inject their lines -- bring  
25 their product to us.

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1           We have some 4,000 miles of pipelines in the  
2 western United States. These are all petroleum products  
3 pipelines, again shipping all grades of gasoline, diesel  
4 fuel, and jet fuel. We ship about one million barrels of  
5 petroleum products each day in the 4,000 miles of  
6 pipelines that I mentioned. We serve all the major  
7 metropolitan areas as well as major airports, some 15  
8 military installations, operates some -- and own some 15  
9 truck terminals as well.

10           We are regulated by the U.S. Department of  
11 Transportation in the way we design and operate our  
12 pipelines, and also by the California State Fire Marshal.

13           Pipelines are by far the safest and most  
14 cost-effective means of transporting refined petroleum  
15 products.

16           We're constantly monitoring -- Kinder Morgan is  
17 constantly monitoring the capacity that we have in our  
18 pipelines versus the growing demand for products in these  
19 metropolitan areas that we serve. And over two years ago  
20 we recognized the need on our system between Concord and  
21 Sacramento to move forward and expand our capacity. We  
22 went to management and got approval for that. And then  
23 we've been moving forward since then.

24           What this new project does is it provides an  
25 opportunity for us to redesign the path that the pipeline

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1 currently takes between Concord and Sacramento, and  
2 hopefully achieves some benefits from that.

3           Let me talk a little bit about route selection.

4 Prior to management giving their approval for this project  
5 we performed what -- internally to Kinder Morgan a  
6 comprehensive feasibility and economic analysis. We  
7 brought in a team of experts to help us in all the major  
8 disciplines, including biology, cultural resources,  
9 engineering, construction, public relations,  
10 contamination, water resources, and others.

11           The purpose of that feasibility study was to  
12 really investigate what the fatal flaws and major  
13 constraints might be with replacing the existing pipeline.  
14 The major constraints that we're looking at primarily  
15 relate to construction, design, permitting, public  
16 acceptance, and of course cost.

17           We looked at five major route alternatives for  
18 five major base routes. This is not the CEQA document  
19 now. This is the feasibility study that we did prior to  
20 filing the application with the State Lands Commission.

21           The next to the last drawing, the far right side  
22 actually, provides some of the alignments that we looked  
23 at, these five alignments, early on.

24           Ultimately, using the whole team of experts that  
25 we had, we ended up choosing a base route that is similar

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1 to the one that we proposed in our application. We looked  
2 at routes that went from Concord not only east -- I'm  
3 sorry -- north across the Carquinez Straits as the  
4 existing line does and into Sacramento, but we looked at  
5 lines that would go east of Concord and head through  
6 places like Bay Point, Pittsburg, Antioch, and Stockton.

7 And ultimately looking at those lines compared to  
8 the line that we ended up picking internally, we felt that  
9 there were a lot more water impacts, there were a lot more  
10 water crossings, there were urban impacts, traffic  
11 impacts, business and residential impacts that would be in  
12 excess of what we were wanting to move forward with.

13 So ultimately -- and there was a military  
14 installation, the Concord Weapons Naval Station there,  
15 just outside of Concord. We would have had to go through  
16 too complicated permitting.

17 So ultimately the refined route that we -- the  
18 route that we picked we worked on -- again, before going  
19 public on this project and before filing an application,  
20 we did a number of things to refine that route that we  
21 generally picked.

22 We wanted to use -- have a maximum use of  
23 existing utility corridors and railroad and road rights of  
24 way so we put that pipeline every way we possibly could to  
25 follow existing utility and railroad and road corridors.

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1 We routed away from sensitive environments like the Suisun  
2 Marsh. One of the real benefits of this project is it  
3 gets the existing -- gets the pipeline out of the Suisun  
4 Marsh for the most part where it currently sits on the  
5 railroad right-of-way for about 15 miles. And the new  
6 alignment that we've chosen gets less than about a mile of  
7 Suisun Marsh involved.

8           The existing -- the pipeline goes through Elmira,  
9 it goes through Dixon, it goes through Davis. The  
10 proposed pipeline misses all three of those communities.

11           In addition, we looked at avoiding sensitive  
12 environmental areas like the Vic Fazio Wildlife Area which  
13 we are not too far from and the Jefferson Prairie  
14 Preserves.

15           In further refining our route, and from those we  
16 made lots of adjustment to the route, we also canvassed  
17 opinions from elected officials in all three counties and  
18 most of the cities along the way, regulators and others,  
19 to again identify the issues and try to come up with an  
20 alignment for this project that would have the greatest  
21 amount of public acceptance and permitting and regulatory  
22 acceptance.

23           Finally, in September of '01 again we did  
24 announce our project. We did a press release. And we  
25 started doing studies. And we did -- since 2001 we've

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1 been doing all types of studies, engineering studies,  
2 biological, cultural resources, geotechnical, it goes on  
3 and on, all of about refining our understanding of where  
4 it's best to put this pipeline.

5           And then of course in November of '01 we filed  
6 our application with the State Lands Commission. And at  
7 that point we had refined this pipeline considerably  
8 before it went into for its CEQA analysis.

9           Let me now just go to the project overview, which  
10 is really what I'm here to talk to you about.

11           The proposed project is a 20-inch diameter steel  
12 pipeline -- welded steel, high tensile strength pipeline  
13 that would be built between Concord and Sacramento,  
14 California, replacing our existing 14-inch diameter  
15 pipeline. It would be approximately 70 miles in length,  
16 depending on a number of variables, but 69.8 to 70 miles,  
17 in that vicinity.

18           In addition, we have added to the project an 8/10  
19 of a mile spur. We're calling it the Wickland connection,  
20 but basically it's a spur up near West Sacramento that  
21 would tie a proposed new pipeline into a pipeline that  
22 will be a separate project and providing jet fuel into the  
23 Sacramento International Airport. So that's a part of  
24 this project. Not the pipeline to the airport, but just a  
25 less-than-a-mile spur that connects our line to that line.

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1           Current peak demand on this existing pipeline  
2 system is about 137,000 barrels per day, as stated in the  
3 EIR. And the current capacity on the existing line is  
4 about 152,000 barrels a day. So you can see from 137 to  
5 152, we're not too far away from reaching capacity on this  
6 system. Given that it takes three or four years to get  
7 through one of these project permitting efforts, we're  
8 getting started now to make sure that we can be ahead of  
9 the curve on that.

10           The new line would be actually built to  
11 200,000-barrel-per-day-system design capacity and would be  
12 operated at 1440 PSI in its eventual build up.

13           So that you know, our pipeline -- this pipeline  
14 would generally carry about -- of the product that I  
15 mentioned earlier, about 60 percent of that -- 60 percent  
16 of the barrels we send down the line are gasoline, about  
17 30 percent of the throughput is diesel fuel, and about 10  
18 percent is jet fuel.

19           The new project would have approximately 12  
20 valves situated along the distance of the 70 miles, of  
21 which again approximately 5 of those valves would be  
22 remotely operated from our control centers in Concord and  
23 also down in Orange, California, where we have our other  
24 control center.

25           The pipeline is monitored 24 hours a day. And it

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1 operates 24 hours a day at full line capacity.

2           We also -- as a part of this project we have  
3 station modifications inside the fence at Concord -- at  
4 our Concord station and also at the West Sacramento  
5 station. Again, just minor amount of modifications  
6 including piping instrumentation, meters, and other small  
7 changes within the fenceline of those two stations.

8           The new pipeline would cross about 64 -- and I  
9 keep saying about because there a lot of definitional  
10 things here -- but there's about 64 water crossings that  
11 we'll be crossing on this project. About 15 of those are  
12 irrigation canals. And of those 64, we're planning to  
13 drill under, using a horizontal directional drill, or to  
14 bore under about 48 of those 64 water crossings. The  
15 remainder of the drainages that we'd be crossing would be  
16 crossed in the dry so that there be no impacts as well.

17           This pipeline is designed to have a very  
18 sophisticated and computer monitoring system for leak  
19 detection. And I won't get into great detail on that  
20 right now. But if you're interested, after the meeting  
21 we're certain we can fill you in on the details of leak  
22 detection and monitoring on the pipeline.

23           I might add, that one of the best leak detection  
24 systems known to man is to put new pipe in the ground.  
25 And that's certainly what we're going to do here.

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1           A little bit about the proposed route. I'll just  
2 run you through quickly where the pipeline goes. And,  
3 again, the drawings are even more clear over here.

4           From Mile Post Zero at Concord station the  
5 pipeline would travel northwest through industrial areas  
6 in rural Contra Costa County, finally entering the City of  
7 Martinez -- city limits of Martinez, again not downtown  
8 Martinez, but out in the rural areas of Martinez, as it  
9 comes up to the south side of the Carquinez Strait at Mile  
10 Post 5.

11           And then we cross Carquinez Strait. And this  
12 pipeline project is now going to -- one of the changes we  
13 made is to actually incorporate a piece of the existing  
14 pipeline into the new project. So we're going to use a  
15 piece of the 14-inch pipe that's under Carquinez Straits.  
16 It's in great shape. We're going to tie 20-inch pipe into  
17 it on the north side and 20-inch pipe into it on the south  
18 side.

19           The reason for that is because the horizontal  
20 direction of drill that we had conceptualized at the  
21 beginning of this project is not technically feasible.  
22 It's about 6,900 feet in length. And for 20-inch pipe it  
23 would have been a world record, and we didn't want to set  
24 the record. There's a lot of risk involved in that kind  
25 of thing.

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1           Phase 2 of this project, which is referenced in  
2 the EIR but will be subject to the separate CEQA  
3 evaluation, separate permitting, would be at some point in  
4 the future -- in the event that the technology is there  
5 and that the capacity and demand is there for us to do  
6 this, we would actually go out and have a separate project  
7 that would be to install 20-inch horizontal directional  
8 drill under Carquinez Straits. So that is currently not a  
9 part of this project.

10           From Mile Post 6.4 on the far side -- the north  
11 side of Carquinez Straits we enter the city limits of  
12 Benicia and travel through industrial areas there and some  
13 of the city streets up to about Mile Post 8. From Mile  
14 Post 8, we go up through -- along Highway 680 on the north  
15 and then on -- the west and then on the east side up to  
16 about Mile Post 15 where we do a horizontal directional  
17 drill under 680 to get over on the other side. And I  
18 might add that that piece along 680 is in lieu of going  
19 across Suisun, which is where the existing pipeline is.

20           After we drill under 680 the pipeline again  
21 parallels 680 for awhile and then crosses along a PG&E  
22 right-of-way -- transmission corridor right-of-way across  
23 over to Cordelia Slough where we can do a horizontal  
24 directional drill under Cordelia Slough. And then we head  
25 off north -- between Mile Post 15 and 23 we head up along

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1 Cordelia Road and along the railroad right-of-way, until  
2 we hit the city limits for Suisun City.

3           At Mile Post 23 we do hit Suisun City and we  
4 travel primarily on Railroad Avenue between Mile Post 23  
5 and 27. From Mile Post 27 to 32 we're in the Fairfield  
6 area. And in that area we're traversing down various city  
7 streets including Tabor, Walters, Huntington, Peabody, and  
8 Vanden.

9           From Mile Post 32 to 41 we are in rural Solano  
10 County roads or along rural Solano County roads all the  
11 way up to Mile Post 41 where we hit the Old Sacramento  
12 Northern Railroad right-of-way. That's an old electric --  
13 I guess it was electric railroad right-of-way that left  
14 behind a grade, the tracks were removed. And we are not  
15 in that grade, but we're going to be adjacent to that  
16 grade.

17           So along the Sacramento Northern from Mile Post  
18 41 to 54 we're going along that until we hit another large  
19 PG&E transmission line right-of-way at Mile Post 54. And  
20 from 54 to 61 we're traversing right adjacent to the PG&E  
21 right-of-way up to I-80.

22           At I-80 at Mile Post 62 we'll drill under I-80  
23 and pop up on the other side between I-80 and the  
24 railroad. And then between Mile Post 62 and 65 we head  
25 due east and we cross through the Yolo Causeway, the Yolo

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1 Bypass and over into the city limits of West Sacramento.

2           And then finally from Mile Post 65 to 69 we're in  
3 the City of West Sacramento where we have an existing  
4 franchise, and we'll be traveling down Industrial  
5 Boulevard for the most part there over to the station in  
6 West Sacramento.

7           I mentioned Phase 2 of the project. I mentioned  
8 the Wickland airport connection. I'll mention that the  
9 existing pipeline, the 14-inch pipeline, when we are  
10 completely built out on the new pipeline and we've  
11 switched the product service over to the new pipeline,  
12 what we'll do with the existing pipeline is that we will  
13 send maybe hundreds, certainly many, many runs of what  
14 they call a squeegee pig down through the pipeline to  
15 clean out all the product. And then what we'll do is  
16 after we've got all the product cleaned out of the  
17 pipeline, we'll purge it and pressurize it with nitrogen  
18 and inert gas, basically to keep the oxygen out of the  
19 pipeline. It prevents corrosion on the inside of that  
20 pipeline.

21           And then after we've got it under pressure with  
22 nitrogen we're going to maintain that pipeline as an asset  
23 and for future use in things other than refined petroleum  
24 products.

25           Okay. Now a little bit about construction. And

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1 I'm getting pretty close to the end here.

2 Our plans for construction are: We intend to  
3 start construction in March of 2004, which is next March.  
4 And it's a -- we're planning an eight-month construction  
5 period. We're avoiding the winter construction because  
6 it's not quite feasible to construct pipelines up here in  
7 the winter given the amount of water. And then the  
8 endangered species windows. We've got to avoid a number  
9 of those. They're also in the winter.

10 So we'll be building between March 2004 and  
11 November of 2004, about 270 -- or 250, 270 new jobs will  
12 be created, so it's good for the economy.

13 We'll have 18 construction spreads or work areas  
14 along this pipeline construction, including one  
15 mainline -- again, as stated in the EIR -- one mainline  
16 spread, which is a cross-country spread that does, as we  
17 call it, the pipeline blow and go along the agricultural  
18 lands. We'll have a one-street spread that does a lot of  
19 city streets. There'll be two special crossings spreads  
20 that will do special crossings like slick and case bores.

21 We're going to have three HDD, or horizontal  
22 directional drill, crews that do the horizontal  
23 directional drills under highways and streams and so on.  
24 And then we're going to have one station crew that'll do  
25 the work in the two stations.

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1           We also are going to have four temporary storage  
2 yards, staging yards where the construction crews will  
3 basically stage into, and then come out of that on the  
4 construction right-of-way to do the pipeline work. We'll  
5 store pipe there. We'll store other equipment, valves and  
6 so on, temporary offices. These will all be placed in  
7 areas that are currently disturbed, as our plan right now,  
8 because that's the way we are working it out through the  
9 environmental process -- agricultural fields, existing  
10 gravel parking lots that kind of thing. Each of those  
11 staging areas would be on the order of two to three acres  
12 in size.

13           In terms of the progress that we'll make on  
14 construction in any given location. Some people are  
15 interested in knowing that -- for instance, in rural  
16 country crossing -- cross-country pipelines, we'll make  
17 about two miles of progress each week is the average that  
18 we'll make. That's in rural settings.

19           In city construction on city streets it's  
20 obviously a little slower. There are a lot of pipelines  
21 and utilities in city streets that slow you down, traffic  
22 control that you have to deal with. So we get about a  
23 block -- one block each week of city construction. And  
24 that goes from when you cut the street -- first cut it in  
25 terms of the asphalt all the way to the point that a

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1 pipeline's in and you put your temporary asphalt back on.  
2 About one block per week is what you can get on the  
3 progress there.

4           We do have a little drawing over here, the color  
5 drawing that's third from the right which shows the  
6 sequence of pipeline construction in cities. Pipeline  
7 construction in cross country setting is not much  
8 different. Of course we don't have to cut the asphalt,  
9 but we also -- in cross-country pipelining we'll need at  
10 least a hundred foot -- well, we'll need a hundred foot  
11 construction -- temporary construction -- a hundred foot  
12 construction right-of-way. And that's a difference than  
13 on city streets. You don't use a hundred foot width there  
14 because you don't have it.

15           And there is clearing and grading and other  
16 things that go on in the cross-county pipelining that you  
17 won't see on the drawing. But, generally speaking, all  
18 the same equipment is there and the same sequencing as  
19 well.

20           I won't go through that in any detail.

21           And then, finally, I'll just say that at the end  
22 of pipeline construction when the pipeline is in the  
23 ground, there are a lot of regulations that govern how we  
24 inspect and protect the public from releases in pipelines.

25           But one of those is that we will hydrotest this

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1 pipeline. We'll fill it with water, pressurize it in  
2 accordance with DOT regulations, and make sure that it can  
3 hold a product of course. And all that's documented. And  
4 then those records are turned over to whoever needs to see  
5 them including DOT and the State Fire Marshal.

6 So with that, as Judy said, I'll be available  
7 afterwards as well as some of my cohorts from Kinder  
8 Morgan and related consultants to answer any questions you  
9 may have.

10 And thank you very much.

11 ENVIRONMENTAL SCIENTIST BROWN: Thank you, Dave.

12 Our first speaker that's signed up is Mary Brown,  
13 representing Rhodia.

14 We'll ask that you come to the microphone please.  
15 Thank you.

16 MS. BROWN: Good evening, ladies and gentlemen.  
17 My name is Mary Brown and I'm from Rhodia, Inc. And I  
18 have just a brief statement to read into the record.

19 For those of you who do not know Rhodia, we are  
20 an industrial property owner with a facility on the  
21 southern shore of the Carquinez Strait, which is located  
22 in Segment 1.

23 On February 20th, 2002, at the public scoping  
24 meeting for this EIR, Rhodia specifically requested that  
25 this EIR address the cumulative impacts of this pipeline

38-1

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## Comment Set 38, cont.

21

1 project on Rhodia's remediation and wetlands affected by  
2 that remediation in the vicinity of the currently proposed  
3 pipeline alignment and any alternative alignment in that  
4 vicinity.

5 At the same meeting Rhodia requested that this  
6 EIR's analysis of impacts upon Rhodia's project and the  
7 wetlands include consideration of alternative alignments  
8 that avoid the wetlands all together.

9 As the Commission is aware, Rhodia has been  
10 planning this environmental remediation and wetlands  
11 restoration project for over three years. During this  
12 time, Rhodia, in conjunction with 15 government agencies  
13 and interested parties, has been planning a project that  
14 will clean up and manage historical contamination and  
15 restore and enhance important surrounding wetland habitat  
16 and natural resources. The current Draft EIR of the  
17 SFPP,L.P. pipeline project does not provide any analysis  
18 of the impacts that this pipeline will have on Rhodia's  
19 remediation and restoration in the same vicinity.

20 While the Draft EIR acknowledges the obvious,  
21 that running a pipeline in the vicinity of the remediation  
22 and restoration project would require coordination with  
23 Rhodia, the Draft EIR provides no information concerning  
24 short-term impacts on Rhodia's remediation or long-term  
25 impacts on Rhodia's wetlands and habitat restoration.

38-1

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## Comment Set 38, cont.

22

38-1

1           We recognize the need for coordination of the  
2 planning, scheduling, implementation, and monitoring of  
3 any pipeline that may be approved in the vicinity of the  
4 remediation and restoration activities. To date, however,  
5 we have had no meaningful discussions regarding such  
6 coordination. There is a reason for that. SFPP has not  
7 provided Rhodia with any information that would allow a  
8 consideration of the impacts of the proposed pipeline on  
9 the remediation and restoration or on how coordinated  
10 activities could address such impacts.

11           The Draft EIR provides Rhodia with the first  
12 opportunity to understand the implications of the proposed  
13 project, its alternatives, and its phases. However, the  
14 Draft EIR raises questions rather than providing analysis  
15 of impacts.

16           It is simply not enough under CEQA for the EIR to  
17 defer appropriate analysis of impacts by saying that  
18 Rhodia and SFPP will coordinate in the future.

19           An appropriate analysis must occur in the EIR and  
20 should include the specific impacts that the pipeline  
21 project will have on the restoration of the wetlands. And  
22 a presentation of how coordination among Rhodia, SFPP, and  
23 the multiple resource agencies will address those impacts.

24           Significant public interests are at stake here.  
25 Rhodia's restoration project has been ordered by the San

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## Comment Set 38, cont.

23

38-1

1 Francisco Regional Water Quality Control Board and has  
2 been studied and approved under CEQA and has been  
3 authorized by the relevant state and federal resource  
4 agencies including this Commission. Impairment of these  
5 public interests could be prevented by avoiding proximity  
6 to the wetlands and sensitive state lands resources.

7           For example, SFPP has available to it an existing  
8 pipeline corridor all the way to the Carquinez Bridge  
9 crossing. Using this existing pipeline corridor would  
10 avoid substantial impacts to the remediation and  
11 restoration and would result in the preservation of  
12 substantial public environmental resources. In the Draft  
13 EIR, however, such an alternative is not addressed at all,  
14 not even in the discussion of the existing railroad  
15 right-of-way alternative.

16           Our final comment for this hearing pertains to  
17 the portion of the pipeline project referred to as Phase 2  
18 of the Draft EIR. While we appreciate that references to  
19 Phase 2 give us a fuller understanding of the project and  
20 SFPP's intention with regard to the wetlands over time,  
21 there's no evidence that the public interest is served by  
22 deferring the analysis of the impacts of Phase 2. By  
23 segmenting the CEQA analysis for Phase 1 -- Phase 2 into a  
24 separate EIR but memorializing it in this EIR, the  
25 Commission appears to be presupposing the acceptance of

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## Comment Set 38, cont.

24

1 the Phase 2 alignment and project at this stage,  
2 effectively adopting Phase 2 before an appropriate CEQA  
3 analysis has been performed.

4 If Phase 2 is truly a separate project, there  
5 appears to be no reason for running the Phase 1 alignment  
6 so close to the wetlands and sensitive state lands  
7 resources.

8 Even with respect to Phase 1, it does not appear  
9 that such proximity is necessary, especially when the  
10 project proponent has an existing right-of-way available  
11 and perhaps other alternatives that would avoid impacts to  
12 the wetlands.

13 Thank you for the opportunity to address the  
14 Commission. We plan on submitting written comments as  
15 well and will address these and other aspects of the Draft  
16 EIR.

17 ENVIRONMENTAL SCIENTIST BROWN: Thank you, Mary.

18 The next speaker is Don Garcia, representing  
19 Local 490 Teamsters.

20 MR. GARCIA: Good evening.

21 My name is Don Garcia of the Teamsters Local 490.

22 And of particular importance to me in this EIR is the  
23 tanker truck transport of petroleum products through  
24 Solano County.

25 Petroleum products have to get from refineries to

38-1

38-2

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## Comment Set 38, cont.

25

38-2

1 the market one way or another. If it isn't in the new  
2 larger pipeline, it will be in tanker trucks. Nowhere in  
3 the Draft EIR does it quantify the number of tanker truck  
4 trips that would be necessary if the replacement pipeline  
5 is not built.

6 It is estimated that if the new larger pipeline  
7 isn't approved, that an additional 45,000 tanker truck  
8 trips per year will be needed to meet this demand. That  
9 means 45,000 additional vehicle trips through one of the  
10 Bay Area's most congested corridors, Interstate 80 and  
11 680.

12 Increased truck trips means greater risk for  
13 accidents and spills in our local communities. In the  
14 Draft EIR it is stated that moving petroleum products via  
15 truck is 300 times more fatal than moving it via pipeline.

16 Increased traffic congestion also means increased  
17 air pollution. The Final EIR should also reflect what the  
18 ambient air quality standards are likely to be if there is  
19 an additional 45,000 truck trips per year.

20 Solano County works hard to meet ambient air  
21 quality standards for ozone. If such standards are not  
22 met, it can affect our ability to win funding for badly  
23 needed transportation improvements.

24 Moving petroleum products by tanker truck is not  
25 an acceptable alternative. The proposed pipeline is the

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## Comment Set 38, cont.

26

1 safest method and will have the least effect on local  
2 traffic and air quality.

38-2

3 Please approve the proposed pipeline.

4 And I would like to thank you for your time.

5 ENVIRONMENTAL SCIENTIST BROWN: Thank you.

6 And the next speaker will be Daniel Schiada from  
7 the City of Benicia. I hope I pronounced that correctly.

8 MR. SCHIADA: Close enough.

9 Thank you. My name is Dan Schiada. I'm the  
10 Director of Public Works with the City of Benicia.

38-3

11 And I just wanted to express a concern that we  
12 have with the Draft EIR; and, that is, the environmental  
13 analysis section omits any mention of the city's water  
14 transmission line that serves the City of Benicia via the  
15 I-680 corridor. This 36-inch existing raw water  
16 transmission line is a critical facility because it  
17 virtually is the city's sole source of water.

18 An interruption in this water supply could cause  
19 a health and safety crisis in the city of Benicia in as  
20 little as 48 hours. At that point, the City would be able  
21 to be -- the City would be unable to provide water to its  
22 residential and business community and would have  
23 insufficient water for fire protection. This is a serious  
24 concern. And, again, I want to repeat, it's the city's  
25 sole source of water for its 28,000 residents.

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## Comment Set 38, cont.

27

38-3

1           In addition, the Valero Oil Refinery which is  
2 located in Benicia uses this water for their process. The  
3 Valero Refinery provides 25 percent of the Bay Area's  
4 gasoline, and would be forced down with a break in this  
5 line.

6           The proposed Kinder Morgan pipeline would  
7 parallel the city's waterline from Benicia to Cordelia in  
8 an area that contains numerous landslides and an active  
9 earthquake fault. So there is a real possibility of a  
10 situation.

11           The pipeline would also cross the city's raw  
12 waterline twice and would be co-located with the waterline  
13 for a length of five to six miles. The city believes it's  
14 essential that the EIR identify and describe potential  
15 impacts of both the construction and ongoing operation of  
16 the proposed pipeline on the city's water supply.

17           Mitigations for the potential impacts must also  
18 be identified, including the potential to avoid the  
19 impacts by the use of an alternate route. The City would  
20 prefer that the proposed pipeline utilize the existing  
21 right-of-way in Segment 2.

22           There are other less effective mitigation  
23 alternatives as well, including maintaining a 30-foot  
24 horizontal separation between the proposed pipeline and  
25 the city's line and a two-foot vertical separation for

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## Comment Set 38, cont.

28

1 crossings.

2           The City will provide more detail about its  
3 concerns and will suggest mitigation alternatives in the  
4 form of a letter of comments that will be submitted before  
5 the deadline date.

6           Thank you.

7           ENVIRONMENTAL SCIENTIST BROWN: Thank you very  
8 much.

9           The next speaker is June Williams, representing  
10 the Elmira Spill Committee.

11           MS. WILLIAMS: Hello. My town has had your  
12 pipeline in it for quite a while and I am very happy to  
13 see the new pipeline. I just have some questions about  
14 it.

15           Will there be a smart pig to make sure that there  
16 aren't any leaks? And if not, how long until they make  
17 one to make sure that it doesn't leak?

18           With the welding, will the welding be inspected  
19 enough to where there won't be any leaks in it,  
20 guaranteed, you know, before you put in the products? You  
21 have so much more use of product that would be going  
22 through it.

23           The other thing is acceptable -- will there be an  
24 accountable time of which -- from the time that the  
25 pipeline is in use -- like they say so many gallons per go

38-3

38-4

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## Comment Set 38, cont.

29

38-4

1 from the front of the pipeline. Will you know how much  
2 left the pipeline and how much arrived? Will there be a  
3 different way of calculating that so that you know if  
4 there's any left -- any leaks along the way, I guess I'm  
5 saying?

6 And that's how the pipeline took so long to find  
7 our leak, was that nobody was quite sure how much left and  
8 how much arrived.

9 So that's basically my comment on it.

10 Thank you.

11 ASSISTANT DIVISION CHIEF JENKINS: Hi. I'm Steve  
12 Jenkins with the State Lands Commission.

13 I was asking the applicant about those questions.  
14 And because those were questions not on the adequacy of  
15 the Environmental Impact Report, they are more questions  
16 about what the project is. Rather than answer those  
17 questions right now what we'd ask you to do is meet with  
18 the applicant after the meeting. And then based on the  
19 answers that you get and, you know, whether you feel  
20 satisfied in that, you always have the opportunity to  
21 provide comments on the Draft EIR by July 28th.

22 So the applicant would be more than happy to meet  
23 and discuss after the meeting.

24 Thank you.

25 ENVIRONMENTAL SCIENTIST BROWN: Okay. The next

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## Comment Set 38, cont.

30

1 speaker is Louis Franchimon, representing the Napa-Solano  
2 Boulevard Trust.

3 MR. FRANCHIMON: Well, you got the name right.  
4 Except the organization is the Napa-Solano Building Trades  
5 Council.

6 We do represent over 10,000 union construction  
7 workers in the two-county area.

8 The proposed pipeline before you, for your  
9 discussion tonight, will have direct impact on the  
10 economic well being and the quality of life for our  
11 members and their families.

12 This critical infrastructure project translates  
13 directly to jobs in our community and will be constructed  
14 with high quality union labor through a project labor  
15 agreement.

16 The route proposed in the Draft EIR reflects over  
17 a year of cooperative work between the proponents, labor,  
18 local government, property owners, and businesses to reach  
19 consensus on the route design and should be stated in the  
20 Final EIR.

21 Any delay in building this pipeline translates  
22 directly to a loss of jobs and infrastructure investments,  
23 which is significant in this weak economy. This proposed  
24 pipeline is far superior to the no-build alternative that  
25 will result in increased tanker truck traffic through an

38-5

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## Comment Set 38, cont.

31

1 already overburdened traffic corridor at the 80/680  
2 interchange, and this should be addressed in the Final  
3 EIR.

38-5

4           There's also a number of safety features  
5 incorporated into the pipeline project that meet or exceed  
6 government and industry standards, including  
7 24-hour-per-day leak detection, 100 percent x-ray  
8 inspection of pipeline welds. In the Final EIR these  
9 safety features should be compared to the current  
10 pipeline's features and address the greater risk of  
11 accidents and leaks if the pipeline is not replaced.

12           The building trades is proud to be a partner in  
13 constructing of this project in order to move products  
14 more safely and more reliably through our community.

15           Thank you.

16           ENVIRONMENTAL SCIENTIST BROWN: The next speaker  
17 is Stephen Mikich. And it looks like he's from the  
18 Plumbers and Steamfitters 342.

19           MR. MIKICH: Good evening. My name is Steve  
20 Mikich. And I'm here in support of the pipeline  
21 project -- the proposed petroleum pipeline because it will  
22 be built using all the latest technology and it would be  
23 safer to the public and the environment.

38-6

24           There are a lot of safety features incorporated  
25 in the pipeline project that will reduce the risk of

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## Comment Set 38, cont.

32

38-6

1 leaks. To guard against corrosion the new pipeline will  
2 have a cathodic protection system and a special coating.  
3 It will be monitored by computer 24 hours a day to detect  
4 and respond immediately to leaks. There would be a block  
5 valve throughout the length of the pipeline to allow the  
6 line to shutdown and isolate the product. That's very  
7 important. If you have a leak, you need to be able to  
8 shut it down. And a hundred percent of the welds will be  
9 inspected by x-ray.

10 In the Final EIR these safety features should be  
11 compared to the current pipeline features and acknowledged  
12 the greater risk of accidents and leaks if the pipeline is  
13 not replaced.

14 The spill prevention measures incorporated in the  
15 construction operation of the pipeline will protect the  
16 public health, our property, and the environment. We are  
17 at greater risk if we do nothing and leave the current  
18 pipeline as it is. We must have the new pipeline.

19 Thank you.

20 ENVIRONMENTAL SCIENTIST BROWN: The next speaker  
21 is Mike Duncan with the Solano Transportation Authority.

22 MR. DUNCAN: My name was easy.

23 I'd first like to say that I am in favor of the  
24 pipeline. I think pipelines for transmission of petroleum  
25 products is an excellent idea. However, in accordance

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## Comment Set 38, cont.

33

1 with both CEQA and at the federal side, the NEPA side, we  
2 do need to ensure that the environmental document does  
3 cover all of the potential impacts.

4           There are two major roadway projects that are  
5 currently in the EIR/EIS stage through the Solano  
6 Transportation Authority. One is the I-80/680/State Route  
7 12 interchange. The pipeline does cover some of the same  
8 area that's also being studied as part of that project.  
9 The other is the Jefferson Parkway, and a pipeline is also  
10 in the vicinity -- actually in the same route as one of  
11 the alternatives we're studying for that.

12           We just want to ensure that the cumulative  
13 impacts of both the pipeline and these projects are  
14 studied within the context of the EIR. It did not appear  
15 that was the case in the initial review of it.

16           Additionally, we -- as part of the cumulative  
17 impacts, the construction impacts of the highway projects  
18 on the pipeline, in other words the safety -- if the  
19 pipeline goes in first, which it will if it's being  
20 constructed in the next three to four years, the  
21 implications of impacts on the pipeline of heavy  
22 construction needs to be evaluated as part of the EIR  
23 process.

24           And, additionally, it was just an item that was  
25 brought up tonight that I probably was aware of and had

38-7

38-8

38-9

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## Comment Set 38, cont.

34

38-9

1 forgotten about the 14-inch portion that is going to  
2 remain under the Carquinez Strait. That section, although  
3 it's Phase 2, does need to be evaluated in the sense of  
4 the safety aspect due to the pressurization that will be  
5 required of that section to be able to reach the capacity  
6 of the 20 inch, since obviously the 20 inch has twice the  
7 capacity of a 14 inch.

8           The pressures to be able to reach that capacity  
9 would have to be significantly more within the 14-inch  
10 section. And I'm assuming that that will be part of the  
11 EIR process to ensure the safety of that particular  
12 section, especially since it is over.

13           Again, I would like to say with the new  
14 technology and everything I think it is a good project and  
15 that it is needed. However, we do need to ensure that all  
16 the proper state EIR/CEQA protections are in place through  
17 the EIR document.

18           Thank you.

19           And, secondly, I will be sending written comments  
20 so that you will have those.

21           Thanks.

22           ENVIRONMENTAL SCIENTIST BROWN: Okay. And the  
23 last speaker we have that's signed up is James Holman,  
24 with the Operating Engineers Local 3.

25           So if there are any other speakers, we'll need to

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## Comment Set 38, cont.

35

1 have you fill out speaker slips.

2 Thanks.

3 MR. HOLMAN: Hello. My name is James Holman and  
4 I've lived in Solano County for 26 years.

5 Preserving our open space in the Suisun Marsh is  
6 very important to residents like me. I support the  
7 project because according to the Draft EIR the proposed  
8 route will move 12 miles of pipeline that currently runs  
9 under the marsh out of this area and will preserve  
10 sensitive wetlands and wildlife. This is excellent news  
11 to those of us who care about the marsh.

12 I believe the affects to the marsh if the  
13 replacement pipeline is not constructed should be further  
14 studied in the Final EIR.

15 The pipeline will also have a positive impact on  
16 our air quality, and this needs to be quantified in the  
17 Final EIR. If the pipeline isn't built, it is estimated  
18 an additional 45,000 tanker trucks per year will drive  
19 through Solano County. The impact to our air quality from  
20 these truck emissions would be significant in a community  
21 that already suffers from poor air quality.

22 Finally, the new technology to be used in the  
23 construction and operation of the pipeline has the  
24 potential to prevent spills. The round-the-clock computer  
25 monitoring can detect and stop spills before they pose a

38-10

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## Comment Set 38, cont.

36

1 significant risk to our wildlife and water supply. I  
2 support the proposed pipeline and hope that you will, too.

38-12

3 Thank you.

4 ENVIRONMENTAL SCIENTIST BROWN: Are there any  
5 other speakers?

6 Okay. If not, in closing, we thank you for your  
7 participation this evening. And the Commission staff will  
8 now begin preparing written responses to your comments.

9 If you sign in on our register at the door over  
10 there, a notice will be mailed to you identifying the  
11 date, time, and location of the Commission's consideration  
12 of the certification of the Final EIR and also a proposed  
13 lease for the use of state lands for this project.

14 So the public meeting will now be closed.

15 (Thereupon the California State Lands

16 Commission public hearing adjourned

17 at 8:00 p.m.)

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## Comment Set 38, cont.

37

1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand  
3 Reporter of the State of California, and Registered  
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the  
6 foregoing California State Lands Commission public hearing  
7 was reported in shorthand by me, James F. Peters, a  
8 Certified Shorthand Reporter of the State of California,  
9 and thereafter transcribed into typewriting.

10 I further certify that I am not of counsel or  
11 attorney for any of the parties to said hearing nor in any  
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand  
14 this 22nd day of July, 2003.

15

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23 JAMES F. PETERS, CSR, RPR

24 Certified Shorthand Reporter

25 License No. 10063

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## Responses to Comment Set 38

- 38-1 Please see Responses to Comment Set 14 (Rhodia Inc.).
- 38-2 The Draft EIR considers the impacts of the No Project Alternative, including the use of tanker trucks, within each environmental discipline in Section D (beginning on page D.1-1). These analyses acknowledge the safety, traffic, and air quality impacts associated with increased trucking.
- 38-3 Please see Responses to Comment Set 24.
- 38-4 Draft EIR Section B.5 (beginning on page B-40) describes the operational procedures proposed by SFPP, including the leak detection system that would be used for the proposed pipeline.
- 38-5 The commenter's preference for the Proposed Project over the No Project Alternative is noted. See also Response to Comment 38-2.
- 38-6 The safety features described by the commenter are also described in the Draft EIR, Section B.5 (beginning on page B-40).
- 38-7 to -9  
Please see Responses to Comment Set 36.
- 38-10 The Draft EIR acknowledges that the proposed pipeline route will have less effect on Suisun Marsh. See also Responses to Comment 38-2 and 38-6.



## Errata and Minor Text Clarifications

- 39-1 Table ES-1 of this Final EIR has been revised to correctly show that for Impact A-3 related to emissions from construction vehicles, during construction, the No Project Alternative would cause fewer impacts than the Proposed Project (see Section 4, which includes the revised Executive Summary).
- 39-2 The classification of Impact B-4: Construction Impacts and Potential Accidents in Cordelia Marsh (Class I) in Tables ES-1 and ES-3 of this Final EIR have been corrected. These changes would make the Executive Summary consistent with the text of the Draft EIR Section D.4, Biological Resources, which explains that even with the mitigation segment, impacts from a spill could still flow into the Cordelia Slough if the accident occurred near the two waterway crossings in the mitigation segment (see Section 4, which includes the revised Executive Summary).
- 39-3 The text introducing Table ES-2 of this Final EIR, in Section 5.2.1, Proposed Project vs. The Cordelia Mitigation Segment, has been revised to correctly show that although impacts to biological resources would be reduced with implementation of Mitigation Measure B-4a (Cordelia Mitigation Segment), they would not be significantly reduced (see Section 4, which includes the revised Executive Summary).
- 39-4 The text introducing Table ES-3 of this Final EIR has been revised to remove misleading text that impacts are presented in order of significance because they are instead presented in order of analysis (see Section 4, which includes the revised Executive Summary).
- 39-5 New text has been added under Section D.2, Pipeline Safety and Risk of Accidents, in this Final EIR to clearly address cumulative impacts in this environmental issue area. The new text is located in Section D.2.3.11, Cumulative Impacts (see Section 4, changes to Section D.2).
- 39-6 New text has been added to Mitigation Measure G-5a (General Fault Crossing Design Parameters) in this Final EIR to expand the range of geologic events that may trigger pipeline inspection according to the Pipeline Operations Plan (see Section 4, changes to page D.7-21).
- 39-7 New text has been added in Section D.8, Hydrology and Water Quality, of the Final EIR for Mitigation Measure HS-3a, Response to Unanticipated Release of Drilling Fluids. The requirement to determine the appropriate depth of HDD crossings in the future has been replaced with a recommendation of a 35-foot depth of cover from the lowest point/scour depth in the river bottom (see Section 4, changes to Section D.8).
- 39-8 New text has been added in Section G.7, Geology, Soils, and Paleontology, of the Final EIR in Impact G-4, Railroad Under-Crossings, and Mitigation Measure G-4a to clarify that the impact and mitigation measure also apply to highway under-crossings. The minimum depth of cover may be specified by the applicable jurisdiction or property owners at highway and railroad crossings, and Mitigation Measure G-4a has been revised to require the depth of cover to be as per the applicable permitting agency requirements, which is typically 7 feet for highway crossings and 10 feet for railroad crossings (see Section 4, changes to Section D.7).
- 39-9 New text has been added to Section D.2.1.6, Environmental Setting: Proposed Project, in Section D.2, Pipeline Safety and Risk of Accidents, of the Final EIR to clarify that design modifications may alter some features of the pipeline (see Section 4, changes to Section D.2).

- 39-10 New text has been added to Section D.2.2, Applicable Regulations, Plans, and Standards, in Section D.2, Pipeline Safety and Risk of Accidents, of the Final EIR to clarify that valves must be installed at certain locations (see Section 4, changes to Section D.2).
- 39-11 New text has been added to Section D.2.3.5, Impacts of Unintentional Releases, in Section D.2, Pipeline Safety and Risk of Accidents, of the Final EIR to clarify that seismic hazards such as earthquakes and fault crossings can cause pipeline rupture and that the time that would be required for someone to arrive at the block valves and close them would depend on location (see Section 4, changes to Section D.2).
- 39-12 New text has been added to Table D.2-27, Pipeline Operation Impacts, in this Final EIR to clarify that design of the pipeline considers seismic hazards (e.g., earthquakes, fault crossings, landslides, liquefaction, subsidence, etc) (see Section 4, changes to Section D.2).
- 39-13 New text has been added to the discussion of Impact S-2.5: Design Flaw (Engineering) in this Final EIR to clarify the requirements for review of design and construction drawings (see Section 4, changes to Section D.2).
- 39-14 For Impact S-2.5: Design Flaw (Engineering), the impact has been reclassified in the Final EIR as Class II, and Mitigation Measure S-2h, Ensure Proper Design and Design Approval, has been added to provide additional requirements for minimizing potential impacts from design flaws (see Section 4, changes to Section D.2).
- 39-15 New text has been added to Mitigation Measure S-3a, Pipeline Abandonment Procedures, to clarify requirements for cleaning the pipeline and requirements for reporting the abandonment (see Section 4, changes to Section D.2).
- 39-16 New text has been added to Section D.7.1.2, Environmental Setting: Proposed Project, in Section D.7, Geology, Soils, and Paleontology, of the Final EIR to clarify the setting for Segments 2 and 3 (see Section 4, changes to Section D.7).
- 39-17 New text has been added to the discussion of Impact G-5, Fault Rupture, in the Final EIR to clarify the maximum movement of the Concord and Green Valley Faults and clarify the requirements of Mitigation Measures G-5a and G-5b (see Section 4, changes to Section D.7).
- 39-18 The text of the first bullet for California red-legged frog and the second bullet for Giant Garter Snake under Mitigation Measure BW-3a (Protect Special Status Wildlife) beginning on page D.4-53 in the Draft EIR has been modified to clarify the actions required by the mitigation measure (see Section 4, changes to Section D.4). The measure has also been revised to include a vegetation-clearing plan in salt marsh harvest mouse habitat.